IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

WP(C).No. 31119 of 2006(D)

PETITIONER:

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1. DR.P. NAGARAJ, ANJALI,
   MATERNITY & NURSING HOME, MAIN ROAD,
   BADIADKA, PERDALA, KASARAGOD.

2. INDIAN MEDICAL ASSOCIATION,
   KERALA BRANCH REPRESENTED BY ITS SECRETARY
   DR.R.RAMESH RESIDING AT DEEPANJALI,
   P.O.THIRUVANGAD, THALASSERY, KANNUR DISTRICT.

BY ADV. SRI.SURESH KUMAR KODOTH
SMT.V.SETHUKUTTY AMMA

RESPONDENTS:

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1. SECRETARY TO GOVERNMENT,
   HEALTH & FAMILY WELFARE DEPARTMENT,
   GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

2. DRUGS CONTROLLER OF KERALA,
   THIRUVANANTHAPURAM.

3. DISTRICT SUPERINTENDENT OF POLICE,
   KASARGOD.

4. DR.SREENIDHI SARALAYA,
   SECRETARY, NATIONAL INTEGRATED MEDICAL
   ASSOCIATION, KASARAGOD DISTRICT BRANCH,
   RSIDING AT SREENIDHI HOUSE, BADIYADUKKA,
   NEW PERADALA, KASARAGOD DISTRICT.

R1 TO 3 BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.31119 of 2006

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Dated this the 6th day of December, 2006.

JUDGMENT

While the allegation of the petitioners is that 4th respondent is practising modern medicine without qualification, Government Pleader reported that Police conducted thorough enquiry and it was found that 4th respondent is practising only in Ayurveda medicine. His wife is stated to be a medical doctor and a Gynaecologist practising modern medicine. Moreover, W.P. is not filed in public interest but to serve personal interest of petitioners who are competitors in the field of medicine. In the circumstances, I do not think petitioner is entitled to the relief sought for. The W.P. is devoid of any merit and is dismissed.

C.N.RAMACHANDRAN NAIR
Judge

pms